

CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
APRIL 16, 2012
COUNCIL CONVENED AT 6:14 P.M.

1. The invocation was given by Chaplain Herbert Johnson, Liberty Baptist Church/Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-

Absent: McNeely -1-
3. Alderman Mark moved to accept the Journal of Proceedings of April 9, 2012, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. McNeely absent).

PUBLIC PARTICIPATION

4. Prophet Yusef wished Aldermen Beach and Robertson a happy birthday and offered his advice how to balance Illinois' budget.
5. Garry Cacciapaglia, President of AFSCME, expressed disappointment with the lack of movement of the negotiations and substantive discussion.

PUBLIC HEARING

6. Mayor Morrissey called upon Legal Director, Patrick Hayes to conduct a public hearing. Mr. Hayes called the public hearing to order at 6:19 pm, stating that independent of our agenda, notice was given in the Rockford Register Star for a public hearing regarding a Plan of Governance for Electric Aggregation. Mr. Hayes asked for questions or comments from the Council members and the public.

Alderman Hervey asked if the plan would be in place by the summer?

Mr. Hayes explained the City hopes to be in the market for the bidding opportunities in May and have the structure in place before the end of the summer, although we may not make the beginning of the summer.

The draft Plan of Governance is on file at the City of Rockford Legal Department and you may obtain a copy by appearing or contacting that department.

Mr. Hayes closed the hearing at 6:20 pm

The meeting returned to regular business at 6:20 pm.

PETITIONS AND COMMUNICATIONS

7. Alderman Beach submitted a Memorandum from Julia Valdez, Deputy City Administrator/Director of Human Resources, regarding upcoming events:
 1. Amazin' Blazin' BBQ – 5/19/12
 2. Charlotte's Web 40th Anniversary Celebration – 6/2/12

Referred to Code and Regulation Committee.
8. Alderman Beach submitted a Memorandum from Mark Stockman, Street and Transportation Superintendent, regarding Amendments to Chapter 16, City of Rockford Municipal Code. Referred to Code and Regulation Committee.
9. Alderman Beach submitted the Rockford Traffic Commission Minutes of the meeting held on April 11, 2012. Referred to Code and Regulation Committee.
10. Alderman Beach submitted a Memorandum from Kerry Partridge, City Attorney, regarding Groundwater Ordinance for 1706 Rural Street. Referred to Code and Regulation Committee.
11. Alderman Elyea submitted a request from Peter Crane, Owner or Gary Anderson, Architect, requesting immediate and temporary use of city property; 713 East State Street – Shumway Market Parking Lot and 733 East State Street – vacant unimproved property for shoring and construction staging area to secure and repair Midway Theatre. Alderman Elyea moved to grant the Prayer of the Petitioner, seconded by Alderman Robertson. MOTION PREVAILED (Ald. McNeely absent).
12. Alderman Elyea submitted a Memorandum from Jennifer Jaeger, Community Services Director, regarding an Amendment to the City's Consolidated Plan to allow additional funding by HUD of the Emergency Solutions Grant Program. Referred to Planning and Development Committee.
13. Alderman Elyea submitted a Memorandum from Rob Lamb, Industrial Development Manager, regarding a Development Agreement with Downtown Rockford Restaurant, LLC for the establishment of a new restaurant to be located at 205 West State Street. Referred to Planning and Development Committee.
14. Alderman Elyea submitted a Memorandum from Rob Lamb, Industrial Development Manager, regarding the First Amendment to the Redevelopment Agreement with Ingenium Testing Services, LLC; Ingenium Aerospace LLC and ITS Partners, LLC for property located at 3761 S. Central Avenue. Referred to Planning and Development Committee.

NEW COMMITTEE REPORTS

15. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Traffic Sign Blanks & Finished Signs be made to the low bidder meeting

specifications, Vulcan Signs, of Foley, Alabama for their estimated total of \$13,210.30. The funding source is Traffic Fund. LAID OVER.

16. Alderman Beck read a Finance and Personnel Committee Report recommending the Engineering Agreement: Winnebago St. & Jefferson St. Bridges – Deck/Joint be made to HR Green, Inc. to perform design and construction engineering for a total not-to-exceed cost of \$87,303.78. The funding for this project will come from Sales Tax funds. LAID OVER.

2012-131CR

17. Alderman Beck read a Finance and Personnel Committee Report recommending all bids for Paint Supplies & Materials be rejected and new bids taken as soon as possible. The funding source is Property Fund.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: McNeely -1-

2012-132CR

18. Alderman Beck read a Finance and Personnel Committee Report recommending approval of a joint purchasing contract with Green Chevrolet for 18 – 2012 Chevrolet Impalas. The low bidder, Green Chevrolet, of Jacksonville, Illinois was awarded a contract from December 28, 2010 to December 27, 2012. The estimated cost for this contract is \$390,143.55. The funding source is Police and Fire Department Operating Budgets.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -12-
Nays: Hervey -1-
Absent: McNeely -1-

2012-133CR

19. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council adopt an Ordinance approving an Intergovernmental Agreement providing for the administration of the grant of emergency rental assistance as set forth in the agreement.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: McNeely -1-

20. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of April 16, 2012 in the amount of \$2,168,458.39. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: McNeely -1-

21. Alderman Elyea read a Planning and Development Committee Report to whom was referred a Memorandum from Jovita Donahue, Development Specialist, hereby begs leave to report recommending approval of the request to amend the boundaries of the Enterprise Zone to include 854 Simpson Road. The Legal Director shall prepare the appropriate ordinance. LAID OVER.

OFFICERS REPORTS

22. Mayor Morrissey presented a Proclamation proclaiming the month of April, 2012 to be "GREAT AMERICAN CLEANUP MONTH" in Rockford, Illinois and called upon our citizens to join in cleanup projects throughout the city and county on April 28, 2012 to keep our community clean, green and healthy.
23. Mayor Morrissey presented a Proclamation proclaiming the week of April 23, 2012 to be "MONEY SMART WEEK" in Rockford, Illinois and encouraged all citizens to make themselves aware of the importance of financial literacy and take advantage of programs and activities geared toward financial management and prosperity – this week and all year long.
24. Mayor Morrissey presented a Proclamation proclaiming the week of April 16, 2012 to be "WEEK OF THE YOUNG CHILD" in Rockford, Illinois and encouraged all citizens to support early childhood services and learn about the many programs and resources in our community.
25. Mayor Morrissey called attention to a Memorandum from Tim Holdeman, Water Superintendent, reporting the Water Division suffered a major computer and electronics equipment damage as the result of a lightening strike to the water Operations Center at 1111 Cedar Street on Saturday night.
26. Mayor Morrissey invited Joan Tunnell, Contest Chairman, American Association of University Women, Constance and McKinzie Holmes to come forward.

Joan Tunnell announced McKinzie Holmes, a fifth grader at Whitehead Elementary School, as the winner of "The Women in My History" essay and poster contest. The subject of McKinzie's winning essay is her mother, Constance Holmes.

27. Julia Valdez, Assistant City Administrator/Director Human Resources, announced The City of Rockford Wellness Committee's awards for the 2nd Annual Biggest Loser Contest.

First Place - Jacob Bremer and Ruth Thomas-Duckett
Second Place – Dwayne Collins and Sandra Mandujano

The City of Rockford Wellness Committee's goal is to promote the improvement of wellness of the mind, body and spirit for the employees of the City of Rockford and their families through education, participation and encouragement.

28. Alderman Hervey welcomed Chiquita Grocery Store, 1414 South Main, to the South Main Street corridor.
29. Alderman Hervey encouraged everyone to participate in the Great American Cleanup on April 28, 2012. In the 5th Ward SWIFTT, 1005 South Main, and Pilgrim's Baptist Church will be providing supplies for the effort.
30. Alderman Thompson-Kelly announced the Great American Cleanup location in the 7th Ward is 1404 West State Street.
31. Alderman Thompson-Kelly thanked the public works department for their timely response to complaints in her ward concerning flooding from the storms this past weekend.
32. Alderman Beach mentioned he participated in the Puma Cup news conference this past weekend, on behalf of Mayor Morrissey. The soccer tournament will take place at Sports Core I and II over two weekends, with over 581 teams with 23,000 kids participating.
33. Alderman Beach announced he brought birthday treats tonight.
34. Alderman Timm thanked public works staff for participating at the North End Square quarterly meeting last week.

UNFINISHED BUSINESS

2012-134CR

35. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the sale of vacant lot at 1918 Elm Street for a minimum bid of \$890.00, which includes advertising with preference to the adjoining property owner. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
Nays: -0-

Absent: McNeely -1-

2012-135CR

36. Alderman Beach moved the adoption of a Code and Regulation Committee Report SUSTAINING the Zoning Board of Appeals, thereby recommending that City Council APPROVE the Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.

Approval is based on the Findings of Fact. The Legal Director is hereby instructed to prepare then necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, Robertson -11-
Nays: Curran, Elyea -2-
Absent: McNeely -1-

2012-046-O

37. Alderman Beach moved the adoption of an Ordinance amending Chapter 16, Schedule Section 309, of the Code of Ordinances of the City of Rockford by adding the following:

That a "Commercial Loading" parking zone be established from 8:00 am to 5:00 pm, Monday through Friday on the North side of Broadway from Arbor Court to 50 feet west of Arbor Court, thus repealing a portion of the existing two hour parking limit.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
Nays: -0-
Absent: McNeely -1-

2012-047-O

38. Alderman Beach moved the adoption of an Ordinance amending Chapter 16, Schedule Section 293, of the Code of Ordinances of the City of Rockford by adding the following:

That traffic on Court Street be required to Yield prior to entering the intersection of Loomis Street and Court Street.

That traffic on Church Street be required to Yield prior to entering the intersection of Loomis Street and Church Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
Nays: -0-
Absent: McNeely -1-

2012-048-O

39. Alderman Beach moved the adoption of an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for an electronic display sign greater than 36 square feet; and a Variation to increase the maximum permitted square footage for a landmark style sign from 64 square feet to 70 square feet in a C-2, Limited Office Zoning District at 1401 North Bell School Road. Approval is subject to the following conditions:

1. The location of the sign shall be east of the sidewalk and located out of the future right-of-way line along North Bell School Road.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
Nays: -0-
Absent: McNeely -1-

Alderman Beach exited the meeting at 7:03 pm.

2012-136CR

40. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Excavation and Hauling Services be made to the low bidder, Swinson Materials, of Rockford, Illinois for their total estimated annual cost of \$24,420.00. The funding source is Street Division Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Elyea, Beck, Robertson -12-
Nays: -0-
Absent: Beach, McNeely -2-

2012-137CR

41. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the renewal of the contract with CompPsych for the Employee Assistance Program Services (EAP) for an estimated annual cost of \$16,920. The funding source is Health Insurance Operating Budget. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Elyea, Beck, Robertson -12-
Nays: -0-
Absent: Beach, McNeely -2-

2012-138CR

42. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the Engineering Agreement: Whitman Street Interchange Feasibility Study be made to Transystems Corporation, to perform a feasibility study and design engineering for a total not to exceed cost of \$456,952.61. The funding for this project will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Timm, Elyea, Beck, Robertson -11-
Nays: Johnson -1-
Absent: Beach, McNeely -2-

2012-049-O

43. Alderman Beck moved the adoption of an Ordinance approving the attached Intergovernmental Agreement with the Greater Rockford Airport Authority for sharing a bus. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Elyea, Beck, Robertson -12-
Nays: -0-
Absent: Beach, McNeely -2-

Alderman Beach re-entered the meeting at 7:05 pm.

2012-139CR

44. Alderman Elyea moved the adoption of a Planning and Development Committee Report recommending approval of the Development Agreement with Pilgrim's Promise Community Development Corporation for assistance up to \$27,285.38 in connection with the construction of a single family home at 1119 Island Avenue. Source of the funding is the federal HOME Investment Partnerships program funds and the Water Hook-Up Program funds. The Legal Director shall prepare the appropriate ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
Nays: -0-
Absent: McNeely -1-

MOTIONS AND RESOLUTIONS

2012-037R

45. Alderman Elyea, on behalf of the Planning and Development Committee, moved the adoption of a Resolution authorizing the City staff to apply for a DCEO – IKE Disaster Recovery program grant for the East River TIF area specifically, the Slum & Blight Designation for the Ingersoll Complex, 301 South Water Street. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-
Nays: -0-
Absent: McNeely -1-

2012-038R

46. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, authorizing for the use of eminent domain for the property located at 1928 North Rockton Avenue. MOTION PREVAILED (Ald. McNeely absent).

2012-039R

47. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, authorizing for the use of eminent domain for the property located at 1303 15th Avenue. MOTION PREVAILED (Ald. McNeely absent).

2012-040R

48. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for the Winnebago County Veterans Association and Veterans Memorial Hall requesting a special event permit for the Memorial Day Parade, which will be held on Monday, May 28, 2012 from 9:00 am – 11:00 am. The parade will follow the traditional downtown route. MOTION PREVAILED (Ald. McNeely absent).

2012-041R

49. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for YABA of Northern Illinois Bowling Foundation requesting a special event permit and a liquor permit for consumption of liquor outdoors ("SP" license) for the Kentucky Derby Party Fundraiser to be held on May 5, 2012 at Don Carter Lanes, MOTION PREVAILED (Ald. McNeely absent).

2012-042R

50. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution recommending that the City approve an Agreement between the City of Rockford and the State of Illinois, Department of Transportation for improvements to the Reed Avenue Bridge over the Southwest Drainage way, 0.01 miles west of 11th Street, Route MS3634, Structure No. 101-6083, in the City of Rockford, Winnebago County, Illinois. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-

Nays: -0-

Absent: McNeely -1-

2012-043R

51. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution recommending that the City approve an Agreement between the City of Rockford and the State of Illinois, Department of Transportation for improvements to the Pierce Avenue Bridge over the Northwest Drainage way, 0.05 miles east of Rockton Ave. Route FAU 5033, Structure No. 101-6006, in the City of Rockford, Winnebago County, Illinois. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-

Nays: -0-

Absent: McNeely -1-

2012-044R

52. Alderman Mark moved the adoption of a Resolution requesting permission from IDOT for temporary regulation of Highway 251, a State Highway, from Y Boulevard to Cottage Avenue on May 19, 2012 for the A.B.A.T.E Motorcycle Parade. MOTION PREVAILED (Ald. McNeely absent).

NEW BUSINESS

53. Alderman Elyea introduced and read an Ordinance approving Third Amendment to the Agreement with Financial Management Systems (FMS). LAID OVER.
54. Alderman Beach introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a restaurant and nightclub in a C-2, Limited Commercial Zoning District at 1116-1118 South Main Street. Approval is subject to the following conditions:
1. Meeting all applicable building and fire codes.
 2. Compliance with all City of Rockford Liquor Codes.
 3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
 4. That the facility shall include a full service restaurant.
 5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
 6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
 7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.
 8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
 9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

Approval is based on the Findings of Fact. LAID OVER.

55. Alderman Beach introduced and read an Ordinance amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase maximum square footage for a drive-through directory (menu board) from 36 square feet to 59.25 square feet; a Variation to increase maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.61 feet; and a Variation to reduce parking spaces from 54 to 35 parking spaces in a C-2, Limited Commercial Zoning District at 1441 Kishwaukee Street. Approval is subject to the following conditions:
1. A landscape plan including additional shrubs to be planted along Kishwaukee Street to be submitted for Staff's review and approval.
 2. The fence that is in disrepair along the west side shall obtain a permit and be repaired by June 1, 2012.

Approval is based on the Findings of Fact. LAID OVER.

56. Alderman Beach introduced and read an Ordinance amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a hand car wash and detail in a C-4, Urban Mixed-Use Zoning District at 2611 Broadway. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes by complying with Code Official comments within the report.
2. Submittal of revised site plan showing parking spaces on the south side and access off the alley.
3. Removal of the free-standing sign and any future free-standing sign must comply with Ordinance.
4. Removal of third wall sign on the building.

Approval is based on the Findings of Fact. LAID OVER.

57. Alderman Beach introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Juan Angel Ramos d/b/a Guadalajara de Noche located at 1116-1118 South Main Street for the sale of alcohol by the drink in conjunction with a restaurant and nightclub in a C-2, Limited Commercial Zoning District. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.
5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

LAID OVER.

2012-050-O

58. Alderman Beck introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Intergovernmental Agreement for Emergency Rental Assistance Grant Administration Police Services between Rockford Township and City of Rockford.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays: -0-
Absent: McNeely -1-

59. Upon motion duly made and seconded, the meeting was adjourned at 7:16 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
April 23, 2012
6:00 P.M.
2ND AMENDED AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing

I. PUBLIC HEARING

1. Public Hearing on the Plan of Governance for Electric Aggregation
 - Public Participation
 - Petitions and Communications
 - New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

II. COMMITTEE REPORTS TO BE READ IN APRIL 23, 2012

A. CODE AND REGULATIONS

1. Beach - Amendments to Chapter 16, City of Rockford Municipal Code
2. Beach - Groundwater Ordinance for 1706 Rural Street, Rockford,
3. Beach – Traffic – Repealing “No Parking Anytime” restriction on the north side of Fulton Avenue from Rockton Avenue to 150 feet east of Rockton Avenue, thus restoring unrestricted parking.
4. Beach – Traffic – Repealing the “No Parking Weekdays” from 1 pm – 4 pm restriction on the north side of Fulton Avenue from 150 feet west of Winnebago Street to 250 feet west of Winnebago Street, thus restoring unrestricted parking.
5. Beach – Traffic – “Commercial Loading” parking zone from 8 am – 5 pm, Monday through Friday on the north side of Mulberry Street from Church Street to 95 feet west of Church Street, thus repealing the existing “24 hour” commercial loading zone on the north side of Mulberry Street from Church Street to 95 feet west of Church Street.

6. Beach – Traffic – “No Action” to be take on the following:
 1. Request in the 13th Ward from City Staff to establish a Mid-Block Pedestrian Crossing on West State Street approximately 125 feet west of Independence venue.
- Officers Reports

UNFINISHED BUSINESS

III. COMMITTEE REPORTS LAID OVER APRIL 16, 2012

1. Elyea - Planning and Development - Recommending approval of the request to amend the boundaries of the Enterprise Zone to include 854 Simpson Road. The Legal Director shall prepare the appropriate ordinance.
2. Beck - Finance and Personnel - Recommending the award for Traffic Sign Blanks & Finished Signs be made to the low bidder meeting specifications, Vulcan Signs, of Foley, AL for their estimated total of \$13,210.30. The funding source is Traffic Fund.
3. Beck - Finance and Personnel - Recommending the Engineering Agreement: Winnebago St. & Jefferson St. Bridges – Deck/Joint be made to HR Green, Inc. to perform design and construction engineering for a total not-to-exceed cost of \$87,303.78. The funding for this project will come from Sales Tax funds.

IV. ORDINANCES LAID OVER APRIL 16, 2012

1. Elyea - Ordinance - Approving Third Amendment to the Agreement with Financial Management Systems (FMS).
2. Beach - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a restaurant and nightclub in a C-2, Limited Commercial Zoning District at 1116-1118 South Main Street. Approval is subject to the following conditions:
 1. Meeting all applicable building and fire codes.
 2. Compliance with all City of Rockford Liquor Codes.
 3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
 4. That the facility shall include a full service restaurant.
 5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
 6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
 7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.

8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

Approval is based on the Findings of Fact.

3. Beach - Ordinance - Amending Article 64, of the Zoning Ordinance of the City of Rockford for a Variation to increase maximum square footage for a drive-through directory (menu board) from 36 square feet to 59.25 square feet; a Variation to increase maximum allowable height for a drive-through directory (menu board) from 6 feet to 8.61 feet; and a Variation to reduce parking spaces from 54 to 35 parking spaces in a C-2, Limited Commercial Zoning District at 1441 Kishwaukee Street. Approval is subject to the following conditions:
 1. A landscape plan including additional shrubs to be planted along Kishwaukee Street to be submitted for Staff's review and approval.
 2. The fence that is in disrepair along the west side shall obtain a permit and be repaired by June 1, 2012.

Approval is based on the Findings of Fact.

4. Beach - Ordinance - Amending Article 63 of the Zoning Ordinance of the City of Rockford for a Special Use Permit for a hand car wash and detail in a C-4, Urban Mixed-Use Zoning District at 2611 Broadway. Approval is subject to the following conditions:
 1. Meeting all applicable building and fire codes by complying with Code Official comments within the report.
 2. Submittal of revised site plan showing parking spaces on the south side and access off the alley.
 3. Removal of the free-standing sign and any future free-standing sign must comply with Ordinance.
 4. Removal of third wall sign on the building.

Approval is based on the Findings of Fact.

5. Beach - Ordinance - Amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Juan Angel Ramos d/b/a Guadalajara de Noche located at 1116-1118 South Main Street for the sale of alcohol by the drink in conjunction with a restaurant and nightclub in a C-2, Limited Commercial Zoning District. Approval is subject to the following conditions:

1. Meeting all applicable building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.

3. The sale of alcohol shall be limited to the interior of the restaurant and Exhibit G.
4. That the facility shall include a full service restaurant.
5. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 40%.
6. The business shall operate according to the submitted business and security plans as depicted in Exhibit M, including security being provided at a minimum of (1) per (50) patrons by a State of Illinois Licensed Security Firm.
7. The business shall maintain a parking agreement with the adjacent grocery property for a minimum of (30) parking space.
8. That an interior layout of the building be submitted for Staff review and approval in conformance with the Building and Fire Code and interior layout shall be substantial compliance with approved plan.
9. The business shall provide exterior parking lot patrol and security during hours of operation as a night club and until the parking lot is cleared of all patrons.

- Motions and Resolutions

V. MOTIONS AND RESOLUTIONS TO BE READ IN APRIL 23, 2012

1. Beach - Amazin' Blazin' BBQ – 5/19/12
2. Beach - Charlotte's Web 40th Anniversary Celebration – 6/2/12
3. Mark – IDOT Resolution for Memorial Day Parade – 5/28/12

VI. MISCELLANEOUS/APPOINTMENTS HELD OUT APRIL 16, 2012

- 1.* Mayor Morrissey - Fire Pension Board, Mr. Chris Black, whose term will expire May 2015. (Pursuant to Rule 18 this appointment is up for passage on May 7, 2012)

VII. NEW BUSINESS (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Beach - Sale of vacant lot at 1918 Elm Street for a minimum bid of \$890.00, which includes advertising with preference to the adjoining property owner.
2. Beach - Special Use Permit for a pawn shop in a C-2, Limited Commercial Zoning District at 5505 East State Street.
3. Elyea - Development Agreement with Pilgrim's Promise Community Development Corporation for assistance up to \$27,285.38 in connection with the construction of a single family home at 1119 Island Avenue. Source of the funding is the federal HOME Investment Partnerships program funds and the Water Hook-Up Program funds.
4. Beck – Financing for Pierce Fire Equipment with Oshkosh Capital.

* same action taken before

- Adjournment

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POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Monday, April 23, 2012, 5:15 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 12-66 April Traffic Commission Minutes
2. C & R 12-67 1)Amazin' Blazin' BBQ Event 5/19/12
2)Charlotte's Web 40th Anniversary Celebration 6/2/12
3. C & R 12-68 Amendments to Chapter 16, City of Rockford Municipal Code
4. C & R 12-69 Groundwater Ordinance for 1706 Rural Street, Rockford,
5. C & R 12-55 Closed Session for Angela

FINANCE AND PERSONNEL COMMITTEE

Monday, April 23, 2012, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AMENDED AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: Grounds Maintenance Water Sites – Suspend rules
 - B. Award of Bid: Summer Food Program
 - C. Award of Bid: Squad & Unmarked Cars for Police Department – Suspend rules
 - D. Award of Bid: Water Treatment Chemicals – Suspend rules
 - E. Award of RFP: Homeless Management Information System – Suspend rules
 - F. Award of Sole Source Contract: Annual Maintenance for Compressors
 - G. Award of Sole Source Contract: Water Treatment Equipment & Supplies

- H. Engineering Agreement: Illinois Route 2 Bike Path Design
 - I. Resolution for Improvement under the Illinois Highway Code for Street Light Electric 2012
 - J. Resolution to take Bids/Proposals
 - K. Change Order: City-Wide Alleys 2010 – **Info only**
 - L. Emergency P.O. for Spring Creek Road and Driftwood Lane Emergency Signal Maintenance – **Info only**
 - M. Vouchers
- 2. Sub-Lease of Airport Property to Wanxiang – Suspend rules
 - 3. Economic Development/TARP Agreement - Falcon Road/New Milford Road/Airport Drive

PLANNING AND DEVELOPMENT COMMITTEE

**Monday, April 23, 2012, 5:30 p.m.
CD Conference Room, City Hall 2nd floor
AMENDED AGENDA**

- 1. Memorandum from Jennifer Jaeger, Community Services Director, regarding an Amendment to the City of Rockford Consolidated Plan as required by HUD to allow additional funding for the Emergency Solutions Grant Program.
- 2. Memorandum from Robert Lamb, Industrial Development Manager, regarding a Development Agreement with Downtown Rockford Restaurant, LLC for the establishment of a new restaurant to be located at 205 West State Street.
- 3. Memorandum from Robert Lamb, Industrial Development Manager, regarding the First Amendment to the Redevelopment Agreement between the City of Rockford and Ingenium Testing Services, LLC; Ingenium Aerospace, LLC; and ITS Partners, LLC for the property located at 3761 South Central Avenue dated December 26, 2007.
- 4. Resolution to Designate Phase 3 of the Churchill Park-Keith Creek Property to meet the Urgent Need National Objective of the CDBG Disaster Recovery Property Buyout Program grant.

LEGISLATIVE LOBBYING COMMITTEE

**Monday, April 23, 2012, _____ p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA**

No Meeting Scheduled

